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EXAMINER
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ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
02/19/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11/30/2009*.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-21* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This Office Action is in regards to the most recent papers filed on 11/30/2009.

Response to Arguments

2.   Applicant's arguments filed 11/30/2010 have been fully considered but they are

not persuasive.

3.   On pages 11-15, Applicant argues that Eshghi does not disclose that a desired

end state is reached, but is rather concerned only with whether a condition is true or

false. However, Column 15, lines 24-32 of Eshghi discloses that the configurations are

changed to reach the desired goal. Further, the claims as currently presented does not

disclose how the desired end state is reached by applying the policy definition.

Applicant should amend the instant claims to clearly demonstrate how the policy

definition conditioned by the at least one conditional statement can place cause the

desired end state to be reached, and how the policy definition is applied.

4.   Applicant's remaining arguments appear to either regard newly amended subject

matter, which is addressed in the rejections below, or substantially depend on the above

argument. Thus, applicant's remaining arguments are deemed not persuasive in light of

the above arguments and the below rejection.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1, 2, 5-8, 11, 12 are rejected under 35 U.S.C. 102(b) as being anticipated

by Eshghi et al. in US Patent No. 5893083 hereafter referred to as "Eshghi".

7.   Regarding Claim 1, Eshghi discloses a method comprising:

receiving at least one policy definition (Eshghi: Column 2, lines 29-48. The

model is equivalent to the policy definition.) defined by a user (Eshghi: Column 15, lines

32-59. The policy definition is at least in part defined by the users, as it is catered to the

requirements of the users.),

        wherein the at least one policy definition includes at least one conditional

relationship specification (Eshghi: Column 9, lines 56-60), and

        wherein the at least one policy definition programmatically specifies

relationships between at least two resources in a set of resources in an

autonomic computing system (Eshghi: Column 5, lines 39-45. Eshighi refers to

the resources in plural form, meaning that it is reasonable to assume that more

than one resource is present.) and defines at least one desired end state therefor

(Eshghi: Column 2, lines 53-55), and

        wherein the at least one conditional relationship specification indicates a

relationship between at least two resources based on a state associated with

each of the at least two resources (Eshighi: Column 9, lines 56-60. Eshighi

provides for conditional states, where the service entity is available if certain

conditions are met. These conditions constitute at least one state associated

with each of the at least two resources.), and

wherein the at least one conditional relationship specification comprises at

least one conditional statement (Eshighi: Column 9, lines 56-60. The

relationships are conditional, and include statements such as the rules set forth

in column 9, lines 65-68), and

wherein the at least one policy definition programmatically specifies

relationships by using states associated with the at least two resources and

wherein the state of one of the at least two resources depends on the state of the

other resource (Eshighi: Column 2, lines 55-57. For a service to be available, the

system determines the required entities and their relationships.), indicating a

decision sequence that is to be followed to reach the at least one desired end

state based on the at least one conditional relationship specification (Eshighi:

Column 2, lines 53-55. The conditional states indicate a decision sequence, as

each step of the conditional statements is a decision.);

harvesting implicit relationships from among the set of resources via a self-

discovery, wherein the set of implicit relationships at least indicate one or more of a set

of resource dependencies for at least one resource in the set of resources and location

requirements for at least one resource in the set of resources (Eshighi: Column 14, lines

11-15), and

wherein self-discovery includes automatically discovering the set of

implicit relationships without the user explicitly specifying the implicit relationships

(Eshighi: Column 14, lines 11-15);

determining, by the autonomic computing system, that a state of at least one

resource in the set of resources substantially satisfies a predetermined requirement of

the at least one conditional relationship specification (Eshghi: Column 9, line 56 to

Column 10, line 30) and dependencies and requirements of the set of implicit

relationships that have been harvested (Eshghi: Column 2, lines 53-55),

wherein the set of resources includes any resources based on the set of

implicit relationships that have been harvested (Eshghi: Column 2, lines 53-55);

determining, by the autonomic computing system in response to the state of the

at least one resource substantially satisfying the predetermined requirement, that the

desired end state can be reached by applying the at least one policy definition

conditioned by the at least one conditional relationship (Eshghi: Column 15, lines 24-

32); and

placing the autonomic computing system in the desired end state by applying the

at least one policy definition (Eshghi: Column 15, lines 24-32).

8.   Regarding Claim 2, Eshghi discloses a method comprising:

receiving at least one policy definition (Eshghi: Column 2, lines 29-48. The

model is equivalent to the policy definition.) defined by a user (Eshghi: Column 15, lines

32-59. The policy definition is at least in part defined by the users, as it is catered to the

requirements of the users.), wherein the at least one policy definition includes at least

one conditional relationship specification (Eshghi: Column 9, lines 56-60), and wherein

the at least one policy definition programmatically specifies relationships between

resources in an autonomic computing system (Eshghi: Column 5, lines 39-45) and

defines at least one acceptable sub-state (Eshghi: Column 14, lines 60-54) and at least

one desired end state for the automatic computing system (Eshghi: Column 2, lines 53-

55);

  determining that the desired end state for the autonomic computing system

cannot be reached (Eshghi: Column 14, lines 60-64);

  determining that the acceptable sub-state can be reached using at least one of

priority ratings, conditional relationship specifications, and alternative relationship

specifications (Eshghi: Column 14, line 64 to Column 15, line 2); and

  placing the autonomic computing system in an acceptable state, wherein the

acceptable sub state becomes a new end-state in response to the substitution (Eshghi:

Column 14, line 64 to Column 15, line 2).

9. Regarding Claim 5, Eshghi discloses, the conditional relationship specifications

comprise policy definitions that are applied when the state of a specified resource meets

a predetermined requirement (Eshghi: Column 2, lines 53-67. The requirements are set

out in terms of the required entities and their relationships to the declarative model for

specifying requirements which must be met for the service to be available.).

10.   Regarding Claim 6, Eshghi discloses, the alternative relationship specifications comprise at least one of policy definitions, and conditional relationship specifications, that are applied when the state of a specified resource does not meet a predetermined requirement (Eshghi: Column 3, lines 56-60 and Column 4, lines 1-6. The inference engine determines that a sub-goal is no longer satisfied and seeks the operations which utilizes the operation (alternative relationship specifications) that will enable the sub-goal to be re-satisfied, the operation is based upon relationships between the services.).

11.   Claim 7, lists all the same elements of claim 1, but in a computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 7.

12.   Claim 8, lists all the same elements of claim 2, but in a computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claim 2 applies equally as well to claim 8.

13.   Claim 11, lists all the same elements of claim 5, but in a computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claim 5 applies equally as well to claim 11.

14.   Claim 12, lists all the same elements of claim 6, but in a computer readable

medium form rather than method form. Therefore, the supporting rationale of the

rejection to claim 6 applies equally as well to claim 12.

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

16.   Claims 3, 4, 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Eshghi in view of Sankaranarayan in US 2005/0033846, hereafter referred to as

"Sankaranarayan."

17.   Regarding Claim 3 Eshghi discloses the invention substantially as claimed.

However, Eshghi does not explicitly teach: the priority ratings comprise an attribute

assigned to a policy definition that determines at least one of a selection of conflicting

policy definitions and a sequence for applying the policy definitions.

      However, Sankaranarayan teaches, priority based policy and conflict

determination and resolution (Sankaranarayan: Paragraph [0011] and Paragraph

[0013]).

      It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Sankaranarayan's teachings as

explained above with the teachings of Eshghi, for the purpose of (Sankaranarayan: Paragraph [0008]) fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources. Eshghi provides motivation to do so, by providing a method and apparatus, which exploits automatic initiation of management tasks to facilitate the management of large networks (Eshghi: Column 2, lines 22-26).

18.   Regarding Claim 4 Eshghi as modified by Sankaranarayan teaches the invention substantially as claimed. However, Eshghi does not explicitly teach: the attribute assigned to the policy definition is one of the following: mandatory, a numerical value, and not required.

In the same field of endeavor, Sankaranarayan teaches needed resource is secured by forcing the current user to release the resource thereby making it mandatory (Sankaranarayan: Paragraph [0013]).

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Sankaranarayan's teachings as explained above with the teachings of Eshghi, for the purpose of (Sankaranarayan: Paragraph [0008]) fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources. Eshghi provides motivation to do so, by providing a method and apparatus, which exploits automatic initiation of management tasks to facilitate the management of large networks (Eshghi: Column 2, lines 22-26).

19.   Claim 9, lists all the same elements of claim 3, but in a computer readable

medium form rather than method form. Therefore, the supporting rationale of the

rejection to claim 3 applies equally as well to claim 9.

20.   Claim 10, lists all the same elements of claim 4, but in a computer readable

medium form rather than method form. Therefore, the supporting rationale of the

rejection to claim 4 applies equally as well to claim 10.

Claim Rejections - 35 USC § 103

21.   Claims 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sankaranarayan in view of Eshghi.

22.   Regarding Claim 13, Sankaranarayan discloses an automatic resource manager

for an autonomic computing system, the autonomic resource manager comprising:

        memory for storing at least one policy definition (Sankaranarayan: Fig. 1, 28);

        a resource monitor (Sankaranarayan: Paragraph [0010]) communicatively

coupled with each resource in the autonomic computing system, for monitoring, and

communicating data with, each resource in the autonomic computing system

(Sankaranarayan: Paragraph [0010]. Resources are interfaced with the resource

manager which monitors the resources);

        an equivalency definer, communicatively coupled with each resource in the

autonomic computing system, and with the memory, for defining at least one

equivalency representing at least one set of equivalent resources in the autonomic

computing system, and storing the at least one equivalency in the memory

(Sankaranarayan: Paragraph [0079]. A resource quantifier 106 that determines the

amount of resource available for allocation by the resource manager 102 which

maintains this information.); and

an automation engine, communicatively coupled with the resource monitor, with

at least one resource in the autonomic computing system, and with the memory, for

providing available actions as defined by the at least one policy definition to the at least

one resource in the in the autonomic computing system in order for the autonomic

computing system to establish and maintain a desired end state (Sankaranarayan: Fig.

18, 1810 and Paragraph [0208], lines 1-5. The dispatch engine after receiving the

activity event notifications from the resource manager dispatches further actions to be

performed to satisfy the requirements.).

Sankaranarayan does not appear to explicitly disclose:

that the memory for storing at least one policy definition is defined by a user,

wherein at least one policy definition includes at least one conditional relationship

specification, and wherein the at least one policy definition programmatically specifies

relationships between resources in an autonomic computing system, and defines at

least one desired end state therefor; and wherein the at least one conditional

relationship specification indicates a relationship between at least two resources based

on a state associated with each of the at least two resources, wherein the state of one

of the at least two resources depends on the state of the other resource, and wherein

the at least one conditional relationship specification comprises at least one conditional

statement, and wherein the at least one policy definition programmatically specifies

relationships by using states associated with the at least two resources and indicating a

decision sequence that is to be followed to reach the at least one desired end state

based on the at least one conditional relationship specification;

a relationship harvestor for harvesting implicit relationships from among the set of

resources via a self-discovery, wherein the set of implicit relationships at least indicate

one or more of a set of resource dependencies for at least one resource in the set of

resources and location requirements for at least one resource in the set of resources,

and wherein self-discovery includes automatically discovering the set of implicit

relationships without the user specifying the implicit relationships;

wherein the equivalency defines the at least one set of equivalent resources that

can be substituted for one another in accordance with the at least one policy definition

that includes at least one conditional relationship specification to arrive at the desired

end state; and

a policy generator, communicatively coupled with the resource monitor and the

memory, for providing in the memory a representation of a system-wide graph of

available actions and at least one of: conditional relationship specifications, and

alternative relationship specifications, corresponding with resources in the autonomic

computing system including any resources identified based on the dependencies and

requirements of the set of implicit relationships that have been harvested.

However, Eshghi discloses each of these limitations for substantially similar reasons as presented with regard to claim 1.

Thus, it would have been obvious to combine the teachings of Eshghi and Sankaranarayan.

The suggestion/motivation for doing so would have been that combining Eshghi's teachings, for the purpose of **(see Eshghi, Col.2, lines 22-26)** facilitating the management of large networks with a method and apparatus, which exploits automatic initiation of management tasks. Sankaranarayan provides motivation to do so, by fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources **(see Sankaranarayan, ¶ 0008)**.

23.   Regarding Claim 15, Sankaranarayan as modified by Eshghi teaches the priority ratings comprise an attribute assigned to a policy definition that determines a sequence for applying the policy definition (Sankaranarayan: Fig. 5, table 500).

24.   Regarding Claim 16, Sankaranarayan substantially discloses the elements of claim 13. However, Sankaranarayan does not explicitly teach: the conditional relationship specifications comprise policy definitions that are applied if the state of a specified resource meets a predetermined requirement.

In the same field of endeavor, Eshghi teaches, that the requirements are set out in terms of the required entities and their relationships to the declarative model for

specifying requirements which must be met for the service to be available (Eshghi:

Column 2, lines 53-57).

It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Eshghi's teachings as explained

above with the teachings of Sankaranarayan, for the purpose of (Eshghi: Column 2,

lines 22-26) facilitating the management of large networks with a method and

apparatus, which exploits automatic initiation of management tasks. Sankaranarayan

provides motivation to do so, by fulfilling the greater need, generated due to growing

need for resources, for techniques to manage and allocate the limited resources

(Sankaranarayan: Paragraph [0008]).

25.   Regarding Claim 17, Sankaranarayan substantially discloses the elements of

claim 13. However, Sankaranarayan does not explicitly teach: the alternative

relationship specifications comprise at least one of policy definitions and conditional

relationship specifications that are applied when the complete desired end state of the

system cannot be met.

In the same field of endeavor, Eshghi teaches that the inference engine

determines that a sub-goal is no longer satisfied and seeks the operations which utilizes

the operation (alternative relationship specifications) that will enable the sub-goal to be

re-satisfied, the operation is based upon relationships between the services (Eshghi:

Column 3, lines 56-60 and Column 4, lines 1-6).

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Eshghi's teachings as explained above with the teachings of Sankaranarayan, for the purpose of (Eshghi: Column 2, lines 22-26) facilitating the management of large networks with a method and apparatus, which exploits automatic initiation of management tasks. Sankaranarayan provides motivation to do so, by fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources (Sankaranarayan: Paragraph [0008]).

26.   Regarding Claim 18, Sankaranarayan substantially discloses the elements of claim 13. Sankaranarayan further discloses distributed resources (Sankaranarayan: Paragraph [0082]).

However, Sankaranarayan does not explicitly disclose:

receiving at least one policy definition defined by a user, wherein the at least one policy definition includes at least one conditional relationship specification, and wherein the at least one policy definition programmatically specifies relationships between resources in an autonomic computing system and defines at least one acceptable sub-state and at least one desired end state for the autonomic computing system; and

the alternative relationship specifications comprise at least one of policy definitions and conditional relationship specifications that are applied when the complete desired end state of the system cannot be met.

However, Eshghi discloses these limitations for substantially similar reasons as presented with regard to claim 3.

Accordingly, it would have been obvious to combine the teachings of Eshghi with Sankaranarayan.

The suggestion/motivation for doing so would have been for the facilitating the management of large networks with a method and apparatus, which exploits automatic initiation of management tasks. Sankaranarayan provides motivation to do so, by fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources (Sankaranarayan: Paragraph [0008]).

27.   Regarding Claim 19, Sankaranarayan as modified by Eshghi teaches the invention substantially as claimed. Sankaranarayan further discloses (Page 5, ¶0082, lines 1-3) distributed resources. Sankaranarayan also discloses (Page 1, ¶0011, lines 3-6 & ¶0013, lines 7-11) priority based policy and conflict determination and resolution.

28.   Regarding Claim 20, Sankaranarayan as modified by Eshghi substantially discloses the elements of claim 18. However, Sankaranarayan does not explicitly teach: the conditional relationship specifications comprise policy definitions that are applied if the state of a specified resource meets a predetermined requirement.

In the same field of endeavor, Eshghi teaches the requirements are set out in terms of the required entities and their relationships to the declarative model for

specifying requirements which must be met for the service to be available (Eshghi:

Column 2, lines 53-57).

It would have been obvious to one of ordinary skill in the networking art at the

time the applicant's invention was made to combine Eshghi's teachings as explained

above with the teachings of Sankaranarayan, for the purpose of (Eshghi: Column 2,

lines 22-26) facilitating the management of large networks with a method and

apparatus, which exploits automatic initiation of management tasks. Sankaranarayan

provides motivation to do so, by fulfilling the greater need, generated due to growing

need for resources, for techniques to manage and allocate the limited resources

(Sankaranarayan: Paragraph [0008]).

29.   Regarding Claim 21, Sankaranarayan-Eshghi substantially discloses the

elements of claim 18. However, Sankaranarayan does not explicitly teach: the

alternative relationship specifications comprise at least one of policy definitions and

conditional relationship specifications that are applied when the complete desired end

state of the system cannot be met.

In the same field of endeavor, Eshghi teaches the inference engine determines

that a sub-goal is no longer satisfied and seeks the operations which utilizes the

operation (alternative relationship specifications) that will enable the sub-goal to be re-

satisfied, the operation is based upon relationships between the services. (Eshghi:

Column 3, lines 56-60 and Column 4, lines 1-6).

It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Eshghi's teachings as explained above with the teachings of Sankaranarayan, for the purpose of (Eshghi: Column 2, lines 22-26) facilitating the management of large networks with a method and apparatus, which exploits automatic initiation of management tasks. Sankaranarayan provides motivation to do so, by fulfilling the greater need, generated due to growing need for resources, for techniques to manage and allocate the limited resources (Sankaranarayan: Paragraph [0008]).

Claim Rejections - 35 USC § 103

30.   Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eshghi.

31.   With regard to claim 22, Eshghi teaches the invention as substantially claimed, as detailed in claim 1 above, except:

activating the at least one conditional relationship specification when the state of at least one of the at least two resources has been reached; and

dynamically adjusting the policy definition at runtime based on the at least one conditional relationship specification that has been activated.

However, Official Notice (See MPEP 2144.04) is taken that it would have been well known to perform the method Eshghi again when the state of one of the resources included in the dependencies changes state. As a note, the instant claim provides no requirement that the state of at least one of the two resources has been reached. Claim 1, from which claim 22 depends, appears to only refer to the current state of the at least

two resources. Applicant should amend the claim to clearly reflect that the state of at least one of the two resources has been reached, and at what stage in the method claim the state has been reached.

Accordingly, it would have been obvious to modify the method of Eshghi to activate the conditional relationship specification when the state of the at least two resources has been reached, and adjust the policy definition at runtime (while the policy definition is in effect) based on the at least one conditional relationship specification that has been activated.

The suggestion/motivation for doing so would have been that when services and resources depend on other services and resources, often times information can become stale, meaning that the current states of at least some of the resources would no longer be valid without some sort of adjustment. By allowing for the adjusting of the policy definition based on changes to resources that the specific policy definition depends on, the policy definition would be less likely to be implemented based on stale information.

Conclusion

32.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Scott Christensen whose telephone number is (571)270-

1144. The examiner can normally be reached on Monday through Thursday 6:30AM -

4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. C./
Examiner, Art Unit 2444
        /William C. Vaughn, Jr./
        Supervisory Patent Examiner, Art Unit 2444